



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

October 13, 2004
DO-04-032

MEMORANDUM

TO: Designated Agency Ethics Officials, General Counsels,
and Inspectors General

FROM: Jack Covalleski
Deputy Director for Agency Programs

SUBJECT: Program Plan of Agency Reviews for Calendar Year 2005

Attached for your information is the program plan of agency ethics reviews scheduled by the Office of Government Ethics (OGE) for calendar year 2005. We will attempt as much as possible to follow the schedule set forth in the attachment. Some of the agencies were listed in the previous program plan, but were not reviewed due to other priorities.

We will contact the Designated Agency Ethics Official (DAEO) or designee by telephone approximately one month prior to our entrance into the agency, followed by a letter of confirmation. Should there be reason why you cannot receive us as scheduled, please call Ed Pratt, Associate Director for Program Reviews, at 202-482-9270, or Jerry Chaffinch, Senior Management Analyst of the Program Review Division, at 202-482-9221.

This year we will continue with our new program review procedures to evaluate agency ethics programs more effectively and to make better use of our time and yours. We will perform an in-depth pre-review of an agency's ethics program. This pre-review will include an examination of our internal documents filed by the agency and prior agency review reports; and discussions with the OGE desk officer and the agency's ethics officials and Office of the Inspector General (OIG) representatives.

A survey of agency employees in approximately eight selected agencies will be performed as part of our pre-review to determine their opinion as to how effectively the ethics program is serving their needs and protecting the agency. We will report on the results of this survey to the DAEO. Because of the lead time required to prepare, conduct, and analyze these surveys, we will be contacting those selected agencies well in advance.

In the past few years we were performing different levels of review at agencies based upon various criteria. For 2005 it is likely we will be performing full reviews at most agencies. The amount of time between our reviews at individual agencies has been lengthening, and we believe if we have not been to an agency in 5 or 6 years or longer, a full program review is advisable.

As we indicated in previous program plans, new review steps were added to examine the agency's program to enforce the criminal conflict-of-interest statutes and the Standards of Conduct. We will be looking at the agency's systems for taking administrative action when an ethics matter referred to the Department of Justice is declined for prosecution, or when violations of the Standards of Conduct have occurred. This review will include discussions with Human Resources Office and OIG representatives, ethics officials, and possibly, agency supervisors.

We are also continuing to look at ethics agreements more in-depth to determine whether screening mechanisms established to enforce recusals are effective. We may speak with screening officials to determine their experience with the screening mechanisms and how often they have been used.

For 2005, OGE will put increased emphasis on advisory committees. We will be examining the procedures used for designating members of advisory committees as special Government employees or representatives and whether such designations meet the criteria set forth in OGE informal advisory memorandum 82 x 22 and our recent DAEOgram ([DO-04-022 dated July 19, 2004](#)), entitled "SGEs and Representatives on Federal Advisory Committees."

Our usual practice, once a review has been completed, is to send a report to the DAEO with recommendations for improving the program, if warranted. We ask that the DAEO respond to our report within 60 days as to the actions he/she has taken or plans to take to implement the recommendations.

We do not send our reports to the Congress, but occasionally a Congressional committee will request a report of an agency under its jurisdiction. These requests are granted and the agency DAEO is informed that we have received such a request. Moreover, we do not send copies of our reports to the news media, nor issue press releases concerning the reports. Periodically, we do release reports to the news media in response to Freedom of Information Act requests.

We are continuing to ask that you complete our Agency Program Review Evaluation form after you receive the report. Please take a few moments to provide us with feedback on the usefulness of our reviews and reports, and identify areas for improvement. Thank you for all the comments you have already given us; they have been extremely useful in modifying our review techniques.

We will be holding brown-bag luncheon meetings at noon on January 12 and January 26, 2005 to discuss our [review procedures](#) and allow you to ask questions. Any ethics official is invited to attend. Please call Jerry Chaffinch to make a reservation for one of these dates. The review procedures are posted on our Web site at www.usoge.gov for your convenience.

We hope that this memorandum answers some of your questions concerning our review process. Should you have any other questions, please contact Ed Pratt.

Attachment

OFFICE OF GOVERNMENT ETHICS

PROGRAM PLAN OF AGENCY REVIEWS

FOR CALENDAR YEAR 2005

PROGRAM REVIEW SCHEDULE
JANUARY- MARCH 2005

1. National Aeronautics and Space Administration
 - Headquarters
 - Kennedy Space Center

2. National Archives and Records Administration

3. Economic Research Service (Agriculture)

4. Architectural and Transportation Barriers Compliance Board

5. Japan-United States Friendship Commission

6. Federal Energy Regulatory Commission

7. Tennessee Valley Authority

8. Securities and Exchange Commission

9. Department of Health and Human Services
 - Office of the Secretary
 - Centers for Medicare and Medicaid Services
 - Health Resources and Services Administration

PROGRAM REVIEW SCHEDULE
APRIL - JUNE 2005

1. Centers for Disease Control and Prevention /Agency for Toxic Substances and Disease Registry (DHHS)
2. Navy Exchange Service Command
3. U.S. Army Materiel Command
4. U.S. Army Medical Command
5. National Endowment for the Arts
6. National Endowment for the Humanities
7. Institute of Museum and Library Services
8. United States Postal Service
9. Council of Economic Advisors

**PROGRAM REVIEW SCHEDULE
JULY - SEPTEMBER 2005**

1. Defense Nuclear Facilities Safety Board
2. U.S. Commission On Civil Rights
3. Office of Science and Technology Policy
4. Air Combat Command
5. Department of Homeland Security
 - Office of the Secretary
 - Border and Transportation Security Directorate
6. Army/Air Force Exchange Service
7. National Labor Relations Board
8. Central Intelligence Agency
9. National Mediation Board

**PROGRAM REVIEW SCHEDULE
OCTOBER - DECEMBER 2005**

1. Defense Commissary Agency
2. Department of Veterans Affairs
3. Department of Housing and Urban Development
4. Railroad Retirement Board
5. Defense Information Systems Agency
6. National Park Service (Interior)
7. Office of the Comptroller of the Currency (Treasury)
8. Federal Bureau of Investigation (Justice)
9. United States Agency for International Development